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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:

Menachem RUBINSTEIN et al

Serial No.: 10/560,232

Filed: March 24, 2006

For: METHODS OF TREATING OBESITY AND  
RELATED DISORDERS USING TELLURIUM  
AND SELENIUM COMPOUNDS

Group Art Unit: 1614

Attorney  
Docket: 31129

**Examiner:**

**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

## INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is a PTO Form 1449 which lists citations which may be material to the patentability and examination of the above identified application. Also enclosed are copies of the references cited. These are submitted in compliance with the duty of disclosure defined in 37 CFR 1.56. The Examiner is requested to make these citations of official record in this application.

This Information Disclosure Statement under 37 CFR 1.56 is not to be construed as a representation that a search has been made, that additional matter which is material to the examination of this application does not exist, or that any or more of these citations constitutes prior art.

Respectfully submitted,

Martin P. Moyra

**Martin D. Moynihan**  
Registration No. 40,338

**Dated: June 18, 2006**



PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

**Complete if Known**


Application Number	10/560,232
Filing Date	24 March 2006
First Named Inventor	Menachem RUBINSTEIN et al
Art Unit	1614
Examiner Name	unknown
Attorney Docket Number	31129

Sheet 1 of 2

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
AP	1	US-5,023,252	06-11-1991	Hseih	
	2	US-5,271,925	12-21-1993	Sredni et al.	
	3	US-5,654,328	05-5-1997	Sredni et al.	
	4	US-6,403,641	06-11-2002	Heal et al.	
	5	US-6,476,059	05-5-2002	Jähne et al.	
	6	US-6,552,089	04-22-2003	Sredni et al.	
	7	US-6,624,161	09-23-2003	Hodson et al.	
	8	US-6,656,934	02-2-2003	Hodson et al.	
	9	US-6,764,461	07-20-2004	Mickley et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Documents	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T 6
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
Examiner Signature 			Date Considered		9/15/2008	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

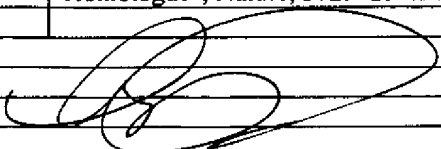
<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				Application Number	10/560,232
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Sheet	2	31129	2	Attorney Docket Number	31129
<b>OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
AB	10	Kalechman et al. "The Antitumoral Effect of the Immunomodulator AS101 and Paclitaxel (Taxol) in A Murine Model of Lung Adenocarcinoma", The Journal of Immunology, 156: 1101-1109, 1996.			
AP	11	Kalechman et al. "Role of Endogenous Cytokines Secretion in Radioprotection Conferred by the Immunomodulator Ammonium Trichloro(Dioxyethylene-0-0')Tellurate", Blood, 85(6): 1555-1561, 1995.			
AP	12	Kalechman et al. "Delay of the Onset of Systematic Lupus Erythematosus Following Treatment With the Immunomodulator AS101. Association With IL-10 Inhibition and Increase in TNF- $\alpha$ Levels", The Journal of Immunology, 159: 2658-2667, 1997.			
AP	13	Kalechman et al. "Protective and Restorative Role of AS101 in Combination With Chemotherapy", Cnacer Research, 51: 1499-1503, 1991.			
AP	14	Kalechman et al. "Synergistic Anti-Tumoral Effect of Paclitaxel (Taxol) + AS101 in A Murine Model of B16 Melanoma: Association With Ras-Dependent Signal-Transduction Pathways", International Journal of Cancer, 86: 281-288, 2000.			
AP	15	Kalechman et al. "Radioprotective Effects of the Immunomodulator AS101", The Journal of Immunology, 145(5): 1512-1517, 1990.			
AP	16	Campfield et al. "Recombinant Mouse OB Protein: Evidence for A Peripheral Signal Linking Adiposity and Central Neural Networks", Science, 269: 546-546, 1995.			
AP	17	Pellemounter et al. "Effects of the Obese Gene Product on Body Weight Regulation in Ob/Ob Mice", Science, 269: 540-543, 1995.			
AP	18	Halaas et al. "Weight-Reducing Effects of the Plasma Protein Encoded by the Obese Gene", Science, 269: 543-546, 1995.			
B	19	Sredni et al. "Predominance of the TH1 Response in Tumor-Bearing Mice and Cancer Patients Treated With AS101", Journal of the National Cancer Institute, 88(18): 1276-1284, 1996.			
AP	20	Rosenblatt-Bin et al. "The Immunomodulator AS101 Restores TH1 Type of Response Suppressed by Babesia Rodhaini in BALB/C Mice", Cellular Immunology, 184: 12-25, 1998.			
AP	21	Strassmann et al. "The Immunomodulator AS-101 Inhibits IL-10 Release and Augments TNF $\alpha$ and IL-1 $\alpha$ Release by Mouse and Human Mononuclear Phagocytes", Cellular Immunology, 176: 180-185, 1997.			
AP	22	Sredni et al. "A New Immunomodulating Compound (AS-101) With Potential Therapeutic Application", Nature, 330(6144): 173-176, 1987.			
AP	23	Sredni et al. "Bone Marrow-Sparing and Prevention of Alopecia by AS101 in Non-Small-Cell Lung Cancer Patients Treated With Carboplatin and Etoposide", Journal of Clinical Oncology, 13(9): 2342-2353, 1995.			
AP	24	Zhang et al. "Positional Cloning of the Mouse Obese Gene and Its Human Homologue", Nature, 372: 425-431, 1994.			

Signature		Considered	9/15/02
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